

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENSLEY CONSTRUCTION, INC., on its own
behalf and on behalf of all others similarly situated,

Plaintiff

v.

MARSH & MCLENNAN COMPANIES, INC.,
MARSH, INC., ACE USA, ACE INA, AMERICAN
INTERNATIONAL GROUP, AMERICAN
REINSURANCE COMPANY, ARTHUR J.
GALLAGHER & CO., HILB ROGAL & HOBBS,
COMPANY, WILLIS GROUP HOLDINGS, LTD.,
WILLIS NORTH AMERICA INC., WILLIS GROUP
LTD., UNIVERSAL LIFE RESOURCES,
UNIVERSAL LIFE RESOURCES, INC. (d/b/a ULR
INSURANCE SERVICES, INC.), THE CHUBB
CORPORATION, USI HOLDINGS, INC., METLIFE,
INC., PRUDENTIAL FINANCIAL, INC.,
UNUMPROVIDENT CORPORATION, THE ST.
PAUL TRAVELERS COMPANIES, INC., ZURICH
AMERICAN INSURANCE COMPANY, LIBERTY
MUTUAL GROUP INC., LIBERTY MUTUAL
INSURANCE COMPANY, LIBERTY MUTUAL
FIRE INSURANCE COMPANY, EMPLOYERS
INSURANCE COMPANY OF WAUSAU, and ST.
JAMES INSURANCE COMPANY LTD.,

Defendants.

FILED FEE PAID:

RECEIPT #

AMOUNT \$

BY DPTY CLK

8/31/05

Civil Action No.
05-11249 GAO

AUGUST 24, 2005

**MOTION FOR ADMISSION OF JOHNNY W. CARTER TO PRACTICE BEFORE
THIS COURT PRO HAC VICE**

Pursuant to this Court's Local Rule 83.5.3(b), Mark J. Claflin, a member in good standing of the Bar of this Court and counsel to defendants, ACE USA and ACE INA herein, hereby moves that Attorney Johnny W. Carter, a member in good standing of the Texas State Bar and the Bar of the United States District Court for the District of

Colorado, the Southern, Northern and Eastern Districts of Texas, the Northern District of Illinois and the Bar of the United States Supreme Court, be granted leave to appear on behalf of defendants ACE USA and ACE INA and practice in this Court *pro hac vice* in the above-captioned action.

As set forth in the accompanying Affidavit of Johnny Carter in support of this motion for admission *pro hac vice*:

1. Mr. Carter is a partner in the Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100, Houston, Texas 77002;
2. Mr. Carter is a member in good standing in every jurisdiction in which he is admitted to practice;
3. There are no disciplinary proceedings pending against Mr. Carter in any jurisdiction; and
4. Mr. Carter is familiar with the local rules of the United States District Court for the District of Massachusetts.

WHEREFORE, Mark J. Claflin respectfully requests that this motion be allowed and that Johnny Carter be granted leave to appear on behalf of defendants, ACE USA and ACE INA and practice in this Court *pro hac vice* in the above-captioned action.

THE DEFENDANTS,
ACE USA and ACE INA
By its Attorneys

A handwritten signature in black ink, appearing to read 'Mark J. Claffin', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent to the following counsel of record by U.S. Mail, postage prepaid, this 24th day of August, 2005:

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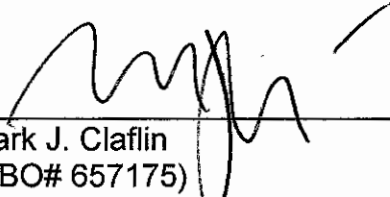
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Defendants.

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05-11249 GAO

July 22, 2005

**AFFIDAVIT OF JOHNNY W. CARTER IN SUPPORT
OF MOTION FOR ADMITTANCE PRO HAC VICE**

I, Johnny W. Carter, hereby depose and say of my personal knowledge:

1. I am an attorney licensed to practice in Texas and I am a partner in the
Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100,
Houston, Texas 77002.

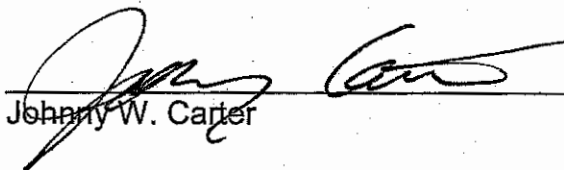
2. I am a member in good standing and eligible to practice before the Texas State Bar and the Bar of the United States District Court for the District of Colorado, the Southern, Northern and Eastern Districts of Texas, the Northern District of Illinois and the Bar of the United States Supreme Court.

3. I am currently not suspended or disbarred in any jurisdiction, nor have I ever been suspended or disbarred from the practice of law.

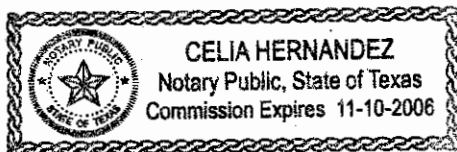
4. I am not the subject of any pending disciplinary matters in any jurisdiction.

5. The defendants, ACE USA and ACE INA have asked me to represent them because of specialized knowledge and experience I have gained from representing them in the past.

Signed under the pains and penalties of perjury this 22nd day of July, 2005.


Johnny W. Carter

Subscribed and sworn to before me this day of July, 2005.




Celia Hernandez